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7 UNITED STATES DISTRICT COURT  
8 CENTRAL DISTRICT OF CALIFORNIA  
9 WESTERN DIVISION  
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11 VICTOR RIOS, ) No. CV 08-06940-PA (VBK)  
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13 ) Petitioner, ) ORDER (1) ACCEPTING AND ADOPTING  
14 ) THE REPORT AND RECOMMENDATION OF  
15 ) THE UNITED STATES MAGISTRATE  
16 ) JUDGE, AND (2) DISMISSING THE  
17 ) PETITION FOR WRIT OF HABEAS  
18 ) CORPUS  
19 )  
20 ) Respondents. )  
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18 Pursuant to 28 U.S.C. §636, the Court has made a de novo review  
19 of the Petition for Writ of Habeas Corpus ("Petition"), Respondent's  
20 Motion to Dismiss, Petitioner's Opposition to the Motion to Dismiss,  
21 all of the records herein and the Report and Recommendation of the  
22 United States Magistrate Judge ("Report").

23 **IT IS ORDERED** that: (1) the Court accepts and adopts the Report  
24 and Recommendation, (2) Respondents' Motion to Dismiss is granted; and  
25 (3) Judgment be entered dismissing the Petition with prejudice.

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27 DATED: May 13, 2009

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PERCY ANDERSON  
UNITED STATES DISTRICT JUDGE